Receipt date: 01/09/2008

PTO/SB/08A (12-07)

Approved for use through 12/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substi	tute for form	n 1449/PTO		Complete if Known		
				Application Number	10/007,742 10677742	
INFO	RMATIC	N DISCLO	SURE	Filing Date	October 01, 2003	
STA	STATEMENT BY APPLICANT (Use as many sheets as necessary)			First Named Inventor	Don Hannula	
(Use				Art Unit	3765	
				Examiner Name	Worrell Jr. Larry D.	
Sheet	7	of	10	Attorney Docket Number	TYHC:0127/FLE/BAK (P0402S-01) (009103-019510US)	

			U.S. 1	PATENT DO	CUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (if known)</sup>		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A200	US-	6,280,213	08-21-2001	Tobler et al.	
	A201	US-	6,282,450	08-28-2001	Hartlaub et al.	
	A202	US-	6,283,922	09-04-2001	Goto et al.	
	A203	US-	6,285,895	09-04-2001	Ristolainen et al.	
	A204	US-	6,306,076	10-23-2001	Gill	
	A205	US-	6,308,089	10-23-2001	von der Ruhr et al.	
	A206	US-	6,321,100	11-20-2001	Parker	
	A207	US-	6,322,516	11-27-2001	Masuda et al.	
	A208	US-	6,343,223	01-29-2002	Chin et al.	
	A209	US-	6,343,224	01-29-2002	Parker	
	A210	US-	6,346,886	02-12-2002	De La Huerga	
	A211	US-	6,349,228	02-09-2002	Kiani et al.	
	A212	US-	6,356,774	03-12-2002	Bernstein et al.	
	A213	US-	6,362,622	03-26-2002	Stauber et al.	
	A214	US-	6,368,282	04-09-2002	Oka et al.	
	A215	US-	6,370,411	04-09-2002	Osadchy et al.	
	A216	US-	6,377,829	04-23-2002	Al-Ali	
	A217	US-	6,381,481	04-30-2002	Levendowski et al.	
	A218	US-	6,385,486	05-07-2002	John et al.	
	A219	US-	6,385,821	05-14-2002	Modgil et al.	
	A220	US-	6,387,092	05-14-2002	Burnside et al.	
	A221	US-	6,388,240	05-14-2002	Schulz et al.	
	A222	US-	6,397,091	05-28-2002	Diab et al.	
	A223	US-	6,405,075	06-11-2002	Levin	
	A224	US-	6,416,471	07-09-2002	Kumar et al.	
	A225	US-	6,416,474	07-09-2002	Penner et al.	
	A226	US-	6,417,774	07-09-2002	Hibbs et al.	
	A227	US-	6,423,010	07-23-2002	Friedman et al.	
	A228	US-	6,430,423 8 2002	<del>08-06-2006</del>	DeLonzor et al.	
	A229	US-	6,432,050	08-13-2002	Porat et al.	
	A230	US-	6,450,168	09-17-2002	Nguyen	
	A231	US-	6,450,957	09-17-2002	Yoshimi et al.	

Examiner		Date	
1	Danny Worrell/ (02/17/2009)	1 1	
Signature	/Danny Worrell/ (02/17/2009)	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not Considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>2</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Receipt date: 01/09/2008

PTO/SB/08A (12-07)

Approved for use through 12/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

-		titute for form			Complete if Known			
( P E					Application Number	1 <del>0/667,742</del> 10677742		
ا ر	A SWE	ORMATIO	N DISCLO	SURE	Filing Date	October 01, 2003		
, i	2008 574	TEMENT	<b>BY APPLI</b>	CANT	First Named Inventor	Don Hannula		
	LUUO (85)	as many sh	neets as nec	essary)	Art Unit	3765		
	Œ/				Examiner Name	Worrell Jr. Larry D.		
TE THAT	eet	1	of	10	Attorney Docket Number	TYHC:0127/FLE/BAK (P0402S-01) (009103-019510US)		

			U.S. I	PATENT DOC	CUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>		Document Number  aber-Kind Code <sup>2 (if known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	Al	US-	H1039	04-07-1992	Tripp Jr. et al.	
	A2	US-	RE 36,000	12-22-1998	Swedlow et al.	
	A3	US-	4,570,638	02-18-1986	Stoddart et al.	
	A4	US-	4,775,116	10-04-1998	Klein	
	A5	US-	4,784,162	11-15-1988	Ricks et al.	
-	A6	US-	4,802,485	02-07-1989	Bowers et al.	
	A7	US-	4,825,872	05-02-1989	Tan et al.	
	A8	US-	4,825,879	05-02-1989	Tan et al.	
	A9	US-	4,838,279	06-13-1989	Fore	
	A10	US-	4,890,619	01-02-1990	Hatschek	
	A11	US-	4,930,888	06-05-1990	Feisleben et al.	
	A12	US-	4,942,877	07-24-1990	Sakai et al.	
	A13	US-	4,972,331	11-20-1990	Chance	
******	A14	US-	4,996,975	03-05-1991	Nakamura	
	A15	US-	5,054,488	10-08-1991	Muz	
· · · · · ·	A16	US-	5,080,096	01-14-1992	Hooper et al.	
	A17	US-	5,080,098	01-14-1992	Willett et al.	
•	A18	US-	5,122,974	06-16-1992	Chance	
· · · · · · · · · · · · · · · · · · ·	A19	US-	5,125,403	06-30-1992	Culp	
	A20	US-	5,167,230	12-01-1992	Chance	
	A21	US-	5,188,108	02-23-1993 .	Secker	
	A22	US-	5,191,891 311993	05-09-1993	Righter	
\r.n.d.	A23	US-	5,209,230	05-11-1993	Swedlow et al.	
	A24	US-	5,214,409	05-25-1993	Beigel	
	A25	US-	5,217,012	06-08-1993	Young et al.	
	A26	US-	5,241,300	08-31-1993	Buschmann	
	A27	US-	5,246,003	09-21-1993	DeLonzor	
	A28	US-	5,253,645	10-19-1993	Friedman et al.	
	A29	US-	5,267,567	12-07-1993	Aung et al.	
	A30	US-	5,295,490	03-22-1994	Dodakian	
	A31	US-	5,313,940	05-24-1994	Fuse et al.	
	A32	US-	5,337,744	08-16-1994	Brianigan	

8/13/10

Examiner		Date
CXAIIIIICI	(P) 111 W. (DA (CE) (DA DA D	Date
C:	/Danny Worrell/ (02/17/2009)	Canaidamed
Signature		Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 'Applicant is to place a check mark here if English language Tanslation is attached.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Receipt date: 01/09/2008.

PTO/SB/08A (12-07)
Approved for use through 12/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Subst	itute for form	1449/PTO		Complete if Known		
				Application Number	1 <del>0/867,742</del> 10677742	
INFO	PRMATIO	N DISCLO	SURE	Filing Date	October 01, 2003	
STA	TEMENT	BY APPLI	IÇANT	First Named Inventor	Don Hannula	
(Use	as many sl	neets as nec	essary)	Art Unit	3765	
İ				Examiner Name	Worrell Jr. Larry D.	
Sheet	10	of	10	Attorney Docket Number	TYHC:0127/FLE/BAK (P0402S-01) (009103-019510US)	

Examiner	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns,	T
Initials*	No.'		Date	Applicant of Cited	Lines, Where	
!		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5(if known)</sup>	MM-DD-YYYY	Document	Relevant Passages	Té
	l	Country Code Trained Time Code			or Relevant Figures Appear	1
	B46	JP 2001/346775	12-18-2001	Marconi Medical	riguies Appear	+-
	B47	JP 2002/065647	03-05-2002	Masimo Corporation		<del>                                     </del>
	B48	JP 55024614	02-21-1980	Hitachi Metals	· · · · · · · · · · · · · · · · · · ·	<b>†</b>
	B49	RU 2132204	06-27-1999	Konoplev et al.		$\top$
	B50	WO 2001/01855	01-11-2001	Georiga Tech		
	B51	WO 2001/17425	03-15-2001	Tensys Medical		
	B52	WO 2001/87224	11-22-2001	Illyes		1
	B53	WO 2002/15784	02-28-2002	Platt et al.		
	B54	WO 2002/65901	08-29-2002	Ares Medical		
	B55	WO 95/06430	03-09-1995	Boehringer Mannheim		
	B56	WO 2000/78209	12-28-2000	Masimo Corporation		
	B57	WO 2066977 02/066977	08-29-2002	Masimo Corporation		
	B58	WO 9115151	10-17-1991	Nellcor Incorporated		<u> </u>
	B59	WO 9118550	12-12-1991	Mathews		
	B60	WO 9220273	11-26-1992	Chance		
	B61	WO 9615714	05-30-1996	Austel Licensing		
	B62	WO 9616591	06-06-1996	Aihonen et al.		
	B63	WO 9641138	12-19-1996	Masimo Corporation		
	B64	WO 9720494	06-12-1997	Non-Invasive Technology		
	B65	WO 9720497	06-12-1997	Nellcor Incorporated		
	B66	WO 9963883	12-16-1999	Sarussi		<u> </u>
	B67					<u> </u>
	B68					1
	B69					4
	B70				· · · · · · · · · · · · · · · · · · ·	↓_
	B71					↓
	B72	······································				<del>   </del>
	B73					↓
	B74		•			1
	B75					ــــ
	B76					₩
	B77					
	B78					

Examiner | Date | Considered | Date | Considered | Date | Date | Considered | Date | D

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.